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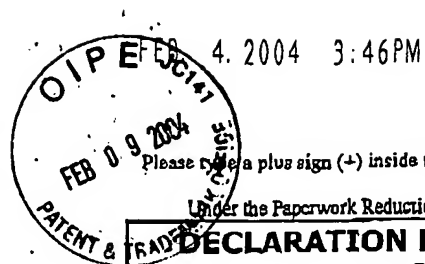
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APPLIED BIOSYSTEMS LEGAL2

NO. 3013 P. 3

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	ABIOS.021A
First Named Inventor	David P. Holden
<b>COMPLETE IF KNOWN</b>	
Application Number	10/611,414
Filing Date	June 30, 2003
Art Unit	2183
Examiner Name	Unknown

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A SYSTEM AND METHOD FOR SNP GENOTYPE CLUSTERING**

(Title of the Invention)

the specification of which

☐ Is attached hereto

**OR**

☒ Was filed on June 30, 2003, as United States Application Number 10/611,414.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. kep-2144.doc

PTO/SB/01 (10-00)

Please type a plus sign (+) inside this box → ☒

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**DECLARATION - Utility or Design Patent Application**

Direct all correspondence to:

☒ Practitioners at Customer Number  
**OR**

20,995 →

☐ Correspondence address below:☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

**NAME OF SOLE OR FIRST INVENTOR:**☐ A petition has been filed for this unsigned inventor.Given Name  
(first and middle (if any)) David P.Family Name  
Or Surname HoldenInventor's  
Signature

Date

Residence: City ~~San Francisco~~ BURLINGAME

State CA

Country USA

Citizenship USA

Mailing Address

750 Gonzalez Drive, Apt. 11-M

600 ANSEL #10

DPH 2/3/04

City

~~San Francisco~~ BURLINGAME

State CA

Zip

94132 94010

Country USA

**NAME OF SECOND INVENTOR:**☐ A petition has been filed for this unsigned inventor.Given Name  
(first and middle (if any)) XiaoPingFamily Name  
Or Surname ZhangInventor's  
Signature

Date

Residence: City Mississauga

State Ont

Country CA

Citizenship P.R. China

Mailing Address

5831 Rainspring Drive

City

Mississauga

State

Ontario

Zip

L5M 6X6

Country Canada

☒

Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB02A attached hereto.

[Page 2 of 3]

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>3</u> of <u>3</u>
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle [if any])	Daniel B.	Family Name Or Surname	Allison
Residence: City		State	Citizenship
Indianapolis		IN	USA
Mailing Address			
6110 Crows Nest Drive			
Mailing Address			
City	State	Zip	Country
Indianapolis	IN	46228	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle [if any])	Austin B.	Family Name Or Surname	Tomancy
Residence: City		State	Citizenship
San Francisco		CA	United Kingdom
Mailing Address			
184 States Street			
Mailing Address			
City	State	Zip	Country
San Francisco	CA	94114	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle [if any])		Family Name Or Surname	
Residence: City		State	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

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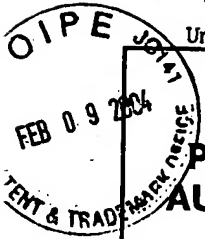
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# **POWER OF ATTORNEY OR AUTHORIZATION OF AGENT**

Application Number **10/611,414**Filing Date **June 30, 2003**First Named Inventor **David P. Holden**Group Art Unit **2183**Examiner Name **Unknown**Attorney Docket Number **ABIOS.021A**

I hereby appoint:

☒ Practitioners at Customer Number

20.995

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Firm or  
Individual Name

Address

City

State

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (PTO/SB/96)

## **SIGNATURE of Applicant or Assignee of Record**

Signature

Name

Jeffery D. Frazier, Sr. Patent Attorney

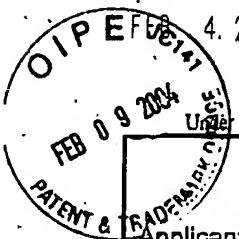
Date

Feb 4, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.\*

☐ \* Total of 4 forms are submitted.R:\DOCS\KEP\KEP-2146.DOC:lw  
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APPLIED BIOSYSTEMS LEGAL2

NO. 3013 P. 14/15

PTO/SU-70 (06-00)

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: David P. Holden, XiaoPing Zhang, Daniel B. Allison and Austin B. Tomaney

Application No./Patent No. 10/611,414 Filed/Issue Date: June 30, 2003

Entitled: A SYSTEM AND METHOD FOR SNP GENOTYPE CLUSTERING

Applera Corporation, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

- A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [X] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Feb 4, 2004  
DateJeffery D. Frazier

Typed or printed name

  
SignatureSr. Patent Attorney

Title

R:\DOCS\KEP\KEP-2147.DOC:lw  
120103

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**LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT AND TRADEMARK MATTERS EFFECTIVE  
THROUGH: December 31, 2005**

\*\*\*\*\*

I, Paul D. Grossman, as Assistant Secretary of Applera Corporation ("Applera"), hereby authorize: Vincent M. Powers, Reg. No. 36, 246, Scott R. Bortner, Reg. No. 34,298, Jeffery D. Frazier, Reg. No. 34,601, and Andrew T. Karnakis, Reg. No. 27,909, all Senior Patent Attorneys, (1) to act on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark entities, (2) to execute power of attorney documents on behalf of Applera, to appoint and/ or establish any attorneys, agents, and/ or law firms to act on behalf of Applera, in any foreign or international patent or trademark applications filed with any foreign and/ or international patent or trademark offices, and (3) to execute assignment and ownership documents on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark offices.



Paul D. Grossman  
Assistant Secretary, Applera Corporation

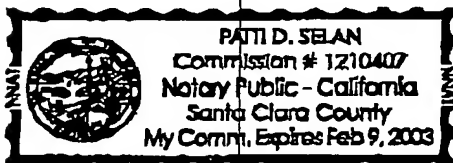
1-9-03

Date

State of California )  
 ) ss.  
County of San Mateo )

On Jan. 9, 2003 before me, Patti D. Selan, Notary Public, personally appeared Paul D. Grossman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.




Notary Public

34381\_1.DOC

Case No. ABIOS.021A

**ASSIGNMENT**

For good and valuable consideration paid to us, receipt of which is hereby acknowledged, we each,

David P. Holden, 600 Ansel, #10, Burlingame, CA 94010, US Citizen  
XiaoPing Zhang, 5831 Rainspring Drive, Mississauga, Ontario, Canada L5M 6X6, PRC of China  
Daniel B. Allison, 6110 Crows Nest Drive, Indianapolis, IN 46228, US Citizen  
Austin B. Tomaney, 184 States Street, San Francisco, CA 94114, United Kingdom Citizen

do hereby sell, assign, and set over unto

**Applera Corporation**

a Delaware corporation having a place of business at 850 Lincoln Centre Drive, Foster City, California (hereinafter "Assignee"), its successors, legal representatives and assigns, each of our entire right, title, and interest in and to any and all of my inventions and discoveries entitled:

**A SYSTEM AND METHOD FOR SNP GENOTYPE CLUSTERING**

as described and/or claimed in my United States patent application, having an oath or declaration fully executed by us and, subsequently assigned Serial Number 10/611,414 and filing date of June 30, 2003 by the United States Patent and Trademark Office; in and to the right to file patent applications in the name of Assignee, its designee, in all of our names, or in any other name or names, on the aforesaid inventions and discoveries in any or all countries of the world, together with all rights of priority in the aforesaid countries deriving from the above-identified United States patent application under the International Convention for the Protection of Industrial Property, under the Inter-American Convention relating to Inventions, Patents, Designs and Industrial Models, and under any other international arrangement to which the United States now is or hereafter becomes a signatory; in and to any and all applications for Letters Patent, and any and all Letters Patent that issue on any of the aforesaid applications, and in and to any and all divisions, continuations, and continuations-in-part of any and all of said applications, and any and all reissues, renewals and extensions of any of said Letters Patent, such that the same right, title and interest to be held and enjoyed by Assignee, its successors, assigns or other legal representatives, to the full ends of the terms for which all Letters Patent therefor may be granted, shall be as full and complete as that that would have been held and enjoyed by us if this assignment and sale had not been made.

We further hereby covenant and agree, for the same consideration, whenever counsel of Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with said invention, or said application for Letters Patent, including interference proceedings, is lawful and desirable, or that any division, continuation, or continuation-in-part of any application for Letters Patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable to sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to said Assignee, its successors, legal representatives and assigns, but at the cost and expense of said Assignee, its successors, legal representatives and assigns.

We hereby authorize Assignee to insert in this instrument the serial number and filing date of said application when officially notified thereof.

C:\NRPORTBL\UMANAGE\GOMEZ\CN62498\_1.DOC

-1-



Case No. ABIOS.021A

Name of inventor:

David P. Holden

Inventor's signature

Date:

2/3/04

COPY

- DO NOT RECORD -

State of California )

) ss.

County of San Mateo )

On February 3, 2004 before me, Cheryl R. Gomez, Notary Public, personally appeared David P. Holden, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Cheryl R. Gomez  
Notary Public

COPY

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C:\NRPORTBL\MANAGE\GOMEZ\CM62498\_1.DOC

-2-

Case No. ABIOS.021A

## ASSIGNMENT

For good and valuable consideration paid to us, receipt of which is hereby acknowledged, we each,

David P. Holden, 750 Gonzalez Drive, Apt. 11-M, San Francisco, CA 94132, US Citizen  
XiaoPing Zhang, 5831 Rainspring Drive, Mississauga, Ontario, Canada L5M 6X6, P.R. of China  
Daniel B. Allison, 6110 Crows Nest Drive, Indianapolis, IN 46228, US Citizen  
Austin B. Tomaney, 184 States Street, San Francisco, CA 94114, United Kingdom Citizen

do hereby sell, assign, and set over unto

Applera Corporation

**- DO NOT RECORD -**

a Delaware corporation having a place of business at 850 Lincoln Centre Drive, Foster City, California (hereinafter "Assignee"), its successors, legal representatives and assigns, each of our entire right, title, and interest in and to any and all of my inventions and discoveries entitled:

**A SYSTEM AND METHOD FOR SNP GENOTYPE CLUSTERING**

as described and/or claimed in my United States patent application, having an oath or declaration fully executed by us and, subsequently assigned Serial Number 10/611,414 and filing date of June 30, 2003 by the United States Patent and Trademark Office; in and to the right to file patent applications in the name of Assignee, its designee, in all of our names, or in any other name or names, on the aforesaid inventions and discoveries in any or all countries of the world, together with all rights of priority in the aforesaid countries deriving from the above-identified United States patent application under the International Convention for the Protection of Industrial Property, under the Inter-American Convention relating to Inventions, Patents, Designs and Industrial Models, and under any other international arrangement to which the United States now is or hereafter becomes a signatory; in and to any and all applications for Letters Patent, and any and all Letters Patent that issue on any of the aforesaid applications, and in and to any and all divisions, continuations, and continuations-in-part of any and all of said applications, and any and all reissues, renewals and extensions of any of said Letters Patent, such that the same right, title and interest to be held and enjoyed by Assignee, its successors, assigns or other legal representatives, to the full ends of the terms for which all Letters Patent therefor may be granted, shall be as full and complete as that that would have been held and enjoyed by us if this assignment and sale had not been made.

We further hereby covenant and agree, for the same consideration, whenever counsel of Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with said invention, or said application for Letters Patent, including interference proceedings, is lawful and desirable, or that any division, continuation, or continuation-in-part of any application for Letters Patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable to sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to said Assignee, its successors, legal representatives and assigns, but at the cost and expense of said Assignee, its successors, legal representatives and assigns.

We hereby authorize Assignee to insert in this instrument the serial number and filing date of said application when officially notified thereof.

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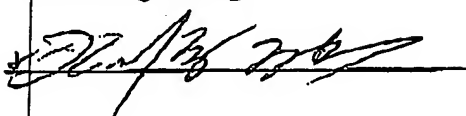
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-1-

Case No. ABIOS.021A

Name of inventor: XiaoPing Zhang

Inventor's signature



Date:

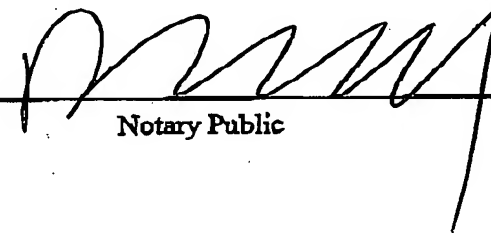
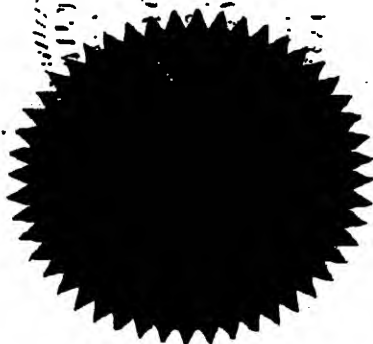
JAN. 22 / 04**COPY****- DO NOT RECORD -**PROVINCE OF ONTARIO

) ss.

CANADA

On JANUARY 22, 2004 before me, GORDON J. Z. BOBESICH, personally appeared XiaoPing Zhang, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. DRIVERS LICENCE 23187-78907-20307

WITNESS my hand and official seal.

  
Notary Public**COPY****- DO NOT RECORD -**

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**- DO NOT RECORD -**



**COPY**  
**- DO NOT RECORD -**

*Handwritten signature*

Case No. ABIOS.021A

Name of inventor: Daniel B. Allison

Inventor's signature

Daniel B Allison

Date:

1/20/2004State of Indiana )

) ss.

County of Marion )

On Jan. 20, 2004 before me, Richard Mendelsohn  
personally appeared Daniel B. Allison personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument and  
acknowledged to me that he executed the same in his authorized capacity, and that by his signature on  
the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Richard Mendelsohn

Notary Public



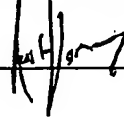
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- DO NOT RECORD -

Case No. ABIOS.021A

Name of inventor: Austin B. Tomaney

Inventor's signature



Date:

02/04/2004

State of California )

) ss.

County of San Mateo )

COPY

- DO NOT RECORD -

On February 4, 2004 before me, Cheryl R. Gomez, Notary Public personally appeared Austin B. Tomaney, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Cheryl R. Gomez  
Notary Public

COPY

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